



Margaret Botkins  
Clerk of Court

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**September 18, 2024**

**Christopher M. Wolpert**  
**Clerk of Court**

BCB CHEYENNE, LLC, a Wyoming  
limited liability company, d/b/a Bison  
Blockchain,

Plaintiff Counter  
Defendant - Appellee,

v.

MINEONE WYOMING DATA CENTER,  
LLC, a Delaware limited liability company,

Defendant  
Counterclaimant - Appellant,

and

MINEONE PARTNERS, a Delaware  
limited liability company, et al.,

Defendant Counterclaimants,

and

BITMAIN TECHNOLOGIES HOLDING  
COMPANY, a Cayman Island Company,  
et al.,

Defendants.

No. 24-8048  
(D.C. No. 1:23-CV-00079-ABJ)  
(D. Wyo.)

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**ORDER**

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On August 13, 2024, this court suspended briefing on the merits of this appeal and directed appellant MineOne Wyoming Data Center, LLC to file a written response,

addressing any basis in law for this court to exercise jurisdiction over this appeal. Upon receipt and initial review of MineOne Wyoming's response, the court directed appellee BCB Cheyenne, LLC to respond to the August 13, 2024 order and MineOne Wyoming's response.

This matter is now before the court on the parties' respective filings regarding the court's jurisdiction over this appeal. Upon consideration, the court:

- A. Refers the jurisdictional issue raised in the August 13, 2024 order and addressed in the parties' filings to the panel of judges that will be assigned to consider this appeal on its merits: the court will not decide whether it has jurisdiction over this appeal at this time;
- B. Lifts the suspension of briefing; and
- C. Directs MineOne Wyoming to file its opening brief and appendix in this appeal on or before October 28, 2024.

Failure to timely file an opening brief and/or appendix may result in the dismissal of this appeal without further notice for failure to prosecute. *See* 10th Cir. R. 42.1.

Entered for the Court

A handwritten signature in black ink, appearing to read 'Christopher M. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk